

Appl. No.: 10/767,804
Amdt. Dated August 15, 2006
Reply to Office Action of May 15, 2006

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REMARKS

Amendments

No claims are amended. Claims 7-14 are allowed. Claims 1-6 are presented for reconsideration by the Examiner in view of the following argument.

Claim Rejections 35 U.S.C. § 102

Claims 1 and 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,380,692 to Newman, Jr. et al. (Newman). Newman discloses a phase controlled dimming system with active filter for preventing flickering and undesired intensity changes. Figures 5-7 of Newman illustrate three embodiments of the disclosed phase controlled dimming system. Each of these figures clearly illustrates that the Newman device has access to both legs of the alternating current (AC). These circuits employ conventional power supplies which are continuously connected to the alternating current to generate power for use by the micro-processor 26. This conventional configuration is discussed in Applicant's specification at page 1, lines 24-30.

Applicant's claims relate to an electronic power switch for use in situations where only one leg of the alternating current is available. In such a situation a wall switch or dimmer switch is arranged to break or connect the available leg of AC to a load which can be an outlet, light, fan or the like. When the available leg of AC is connected to the load, there is no differential between the line-in and line-out for generating power. Applicant's claims relate to an electronic switch with control components that require electrical power. Applicant teaches that this is conventionally provided by batteries or continuously connected power supplies such as those illustrated in Figures 5-7 of Newman. Applicant disclose an alternative approach in which a portion of each pulse of alternating current is diverted to a power supply and stored in a capacitor for use by the control circuitry. This approach is not disclosed, taught or suggested by Newman.

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In particular, claim 1 requires:

wherein said control device is responsive to said zero cross signal to remove said gate signal from said power delivery device, said power delivery device disconnecting said line-in from said line-out in the absence of said gate signal, and said power supply using an initial portion of each positive and negative going current pulse to charge said capacitor, said control device generating said gate signal upon detection of said predetermined voltage, said capacitor delivering direct current to said control device for the remainder of each current pulse.

The structures, functionality and relationships recited in the final paragraph of claim 1 are not disclosed, taught or suggested by Newman. As discussed above, Newman employs continuously connected power supplies as is conventional in the art. The above quoted portion of claim 1 is directed to a circuit configured to use "an initial portion of each positive and negative going current pulse to charge said capacitor" and "said capacitor delivering direct current to said control device for the remainder of each current pulse." According to claim 1, when the capacitor has reached a predetermined voltage "said control device generating said gate signal upon detection of said predetermined voltage." The gate signal turns on the power delivery device, delivering power to the load.

The structures and relationships recited in claim 1 are not disclosed, taught or suggested by Newman. Claim 1 is patentable over Newman. Claim 2-6 depend directly or indirectly from claim 1 and are patentable for at least the reasons stated in support of claim 1.

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For all the foregoing reasons, Applicant respectfully requests allowance of claims 1-6, in addition to already allowed claims 7-14.

Respectfully submitted,

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